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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/063,108	03/21/2002	Dotan Saguy	001 010	3451

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JEFFREY FURR  
253 N. MAIN STREET  
JOHNSTOWN, OH 43031

EXAMINER
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LASTRA, DANIEL

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/063,108

Applicant(s)

SAGUY, DOTAN

Examiner

DANIEL LASTRA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.



### DETAILED ACTION

1. Claims 1-20 have been examined. Application 10/063,108 (DIRECT MARKETING SYSTEM) has a filing date 03/20/2002 Claims Priority from Provisional Application 60277956 03/23/2001.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4-6, 19 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Bansal (US 6,804,806).

As per claim 1, Bansal teaches:

A system for sending electronic greetings from multiple users comprising:

having a sender select an electronic greeting (see column 1, lines 55-65);

having said sender select a plurality of invitees (see column 6, lines 10-35);

having the system notify the invitees of the electronic greeting (see column 6, lines 10-36);

having said invitees add information to the electronic greeting (see column 6, lines 30-36); and

forwarding said electronic greeting to a receiver (see column 6, lines 10-37).

As per claim 2, Bansal teaches:

A system according to claim 1 which includes a plurality of receivers (see column 7, lines 30-32).

As per claim 4, Bansal teaches:

A system according to claim 1 in which said sender can modify the information added by the invitees (see column 4, lines 10-35).

As per claim 5, Bansal teaches:

A system according to claim 1 in which said notification is through E-mail (see column 6, lines 22-27).

As per claim 6, Bansal teaches:

A system according to claim 1 in which said system utilizes the Internet (see column 6, lines 22-30).

As per claim 19, Bansal teaches:

A system according to claim 1 in which said sender can modify the information added by the invitees (see Bansal column 4, lines 10-35).

As per claim 20, Bansal teaches:

A system according to claim 1 in which said notification is through E-mail (see Bansal column 6, lines 22-27).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bansal (US 6,804,806) in view of Ganesan (US 2002/0087427).

As per claim 3, Bansal teaches:

A system according to claim 1 but does not expressly teach in which said invitees can select a plurality of invitees. However, Ganesan teaches an electronic greeting and gift card system where members invite other users to join said system (see paragraph 220). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Bansal would allow members to invite other users to contribute to said electronic greeting system, as taught by Ganesan. This way all the contributors would simultaneously provide their input to the electronic greeting messages.

Claims 7-9, 11-15, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bansal (US 6,804,806) in view of Ganesan (US 2002/0087427) and further in view of Nelson (US 2002/0042775).

As per claim 7, Bansal teaches:

A system for sending electronic gifts from multiple users comprising:

having a sender select a plurality of invitees (see Bansal column 3, lines 35-50);

Basra fails to teach having the system notify the invitees of the electronic gift, having said invitees add contributions towards the electronic gift and having said sender apply the contributions towards the purchase of said electronic gift and forwarding said electronic gift to a receiver. However, Ganesan teaches a system that transmits to users

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electronic greeting messages and gifts (see paragraph 48) and Nelson teaches a system where a gift giver contacts other individuals to initiate a pooling of resources to purchase an item or commodity (see Nelson paragraph 25). Therefore, it would have been obvious to a person of ordinary skill in the art that Bansal would transmit to users an electronic gift in an electronic greeting message, as taught by Ganesan and would pool resources for all the users that contribute to said electronic greeting to pay for said electronic gift. This feature would allow that all contributors to the electronic greeting would simultaneously provide their input to said greeting and would also allow said contributors to pay for the expenses incurred for sending said electronic gift and greeting.

As per claim 8, Bansal teaches:

A system according to claim 7 which includes a plurality of receivers (see column 7, lines 30-34).

As per claim 9, Bansal teaches:

system according to claim 7 but fails to teach in which said invitees can select a plurality of invitees. However, Ganesan teaches an electronic card system where members invite other users to join said system (see paragraph 220). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Bansal would allow a user to invite other users to participate in said electronic greeting system, as taught by Ganesan. This feature would allow that all contributors to the electronic greeting would simultaneously provide their input to said

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greeting and would also allow said contributors to pay for the expenses incurred for sending said electronic gift and greeting.

As per claim 11, Bansal teaches:

A system according to claim 7 but does not expressly teach in which said sender can change said electronic gift to match the amount of contributions. However, Official Notice is taken that it is well known in the business art that a gift send to a recipient would be adjusted to the amount of money contributed to said gift. It would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the cost of a gift would be directly proportional to the amount of money contributed to pay for said gift.

As per claim 12, Bansal teaches

A system according to claim 7 in which said sender can make a contribution to said electronic gift (see column 6, lines 17-22).

As per claim 13, Bansal teaches:

A system for sending electronic greetings and electronic gifts from multiple users comprising:

having a sender select an electronic greeting (see Bansal column 1, lines 55-65);

having said sender select a plurality of Invitees (see Bansal column 6, lines 10-35);

having the system notify the invitees of the electronic greeting (see Bansal column 6, lines 10-36);

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having said invitees add information to the electronic greeting (see Bansal column 6, lines 30-36);

Bansal fails to teach having said invitees add contributions towards the electronic gift; having said sender apply the contributions towards the purchase of said electronic gift; forwarding said electronic gift to a receiver. However, Ganesan teaches a system that transmits to users electronic greeting messages and gifts (see paragraph 48) and Nelson teaches a system where a gift giver contacts other individuals to initiate a pooling of resources to purchase an item or commodity (see Nelson paragraph 25). Therefore, it would have been obvious to a person of ordinary skill in the art that Bansal would transmit to users an electronic gift in an electronic greeting message, as taught by Ganesan and would pool resources for all the users that contribute to said electronic greeting to pay for said electronic greeting and gift. This feature would allow that all contributors to the electronic greeting would simultaneously provide their input to said greeting and would also allow said contributors to pay for the expenses incurred for sending said electronic gift and greeting.

Bansal teaches forwarding said electronic greeting to a receiver (see Bansal column 6, lines 10-37).

As per claim 14, Bansal teaches:

A system according to claim 13 which includes a plurality of receivers (see Bansal column 7, lines 30-32).

As per claim 15, Bansal teaches:



A system according to claim 13 in which said invitees can select a plurality of invitees (see Bansal column 3, lines 35-50).

As per claim 17, Bansal teaches:

A system according to claim 13 but does not expressly teach in which said sender can change said electronic gift to match the amount of contributions. However, Official Notice is taken that it is well known in the business art that a gift send to a recipient would be adjusted to the amount of money contributed to said gift. It would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that the cost of a gift would be directly proportional to the amount of money contributed to pay for said gift.

As per claim 18, Bansal teaches:

A system according to claim 13 but fails to teach in which said sender can make a contribution to said electronic gift. However, Ganesan teaches a system where users send electronic greetings and gifts to selected recipients (see paragraph 48). Therefore, it would have been obvious to a person of ordinary skill in the art that Bansal would send to users electronic greetings and gifts, as taught by Ganesan. This feature would allow that all contributors to the electronic greeting would simultaneously provide their input to said greeting and would also allow said contributors to pay for the expenses incurred for sending said electronic gift and greeting.

Claims 10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bansal (US 6,804,806) in view of Ganesan (US 2002/0087427) and further in view of Nelson (US 2002/0042775) and Lomangino (US 2002/0052756).

As per claims 10 and 16, Bansal teaches:

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A system according to claim 7 but fails to teach in which said contributions can be made by pledges. However, Lomangino teaches a method of receiving from a second donor member a pledge applicable to the transfer of a particular item and identifying the pledge to a eligible recipient member (see abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the application was made, to know that Bansal would allow that contributions to gifts be made by pledges, as taught by Lomangino, as said pledges would ensure the payment for said gift.

### **Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL LASTRA whose telephone number is 571-272-6720. The examiner can normally be reached on 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, ERIC W. STAMBER can be reached on 571-272-6724. The Examiner's Rightfax number is 571-273-6720.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Daniel Lastra

June 13, 2005



RAQUEL ALVAREZ  
PRIMARY EXAMINER